

**From:** [Nicole Moss](#)  
**To:** [Lauren Ditty](#)  
**Cc:** [Adam Laxalt](#); [Alexander Liebmann](#); [Brian Barnes](#); [Christy Collins](#); [David Shank](#); [Jacob Meckler](#); [Lauren Ditty](#); [Nicholas Barry](#); [Robby Earle](#); [Samuel Adkisson](#); [Amy Dashiell](#)  
**Subject:** Re: Kacsak - Production Deficiencies  
**Date:** Sunday, October 13, 2024 1:44:35 PM

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**EXTERNAL**

Lauren,

I have looked into the issues you raised below with some of the documents that Plaintiff has produced. Although we are hard pressed to understand what possible relevance the social media documents you have identified with production issues might have to this case, we have nonetheless reviewed and determined that the processing of the Instagram messages and photo uploads to Plaintiff's Facebook account did not properly capture images and links so we are reproducing those here. Passwords to access those productions will follow in a separate email. I do note that in some instances the referenced links are simply no longer valid or available because they are not stored on the Plaintiff's Instagram or FB accounts.

One of the documents you identify as missing images, ABC0000942.000001, is part of a text exchange. The information we were able to download has been provided. I did not see any missing images, but the document is 248 pages long so if there is a particular part of the text exchange you believe is missing, please let me know and I will see if we can obtain screenshots of those texts provided they have some relevance to the case and are responsive to Defendant's discovery requests.

With respect to the text messages that Plaintiff has produced, we have redacted, to the extent time permitted, the non-responsive portions of these conversations. The way the texts messages were downloaded the entire conversation history between the parties for a specific date range is downloaded as a single document. Much of the conversations are non-responsive to Defendant's document requests and have no bearing or relevance on the issues in dispute in this case. Because these are private, personal conversations, the non-responsive portions were redacted.

Finally, with respect to the documents you suggest are missing attachments, we could not identify any examples. The one example you provide, Kacsak001388, there was no attachment in this email and we could find no additional conversation, etc. in which the referenced documents may have been attached. It appears that this email was sent from Plaintiff to his wife perhaps as a draft for a letter meant for their accountant, but it was not sent from Plaintiff's email account and we have nothing further to produce. If you have other examples you would like us to review, please let us know.

The link to access the reproduction of Plaintiff's Instagram is --  
[https://app.everlaw.com/58104/dl/\\_ReEa9JYooFruiDgtLkFWSv5JWsOiiSEI2KJWgaADAP](https://app.everlaw.com/58104/dl/_ReEa9JYooFruiDgtLkFWSv5JWsOiiSEI2KJWgaADAP).

The link to access the reproduction of Plaintiff's Facebook images is --  
<https://app.everlaw.com/58104/dl/2P6WofpdydBUIPh3TACqrXvw15QTtyKXUNGYRJB0tXh>

**EXHIBIT**

**D**

Have a good rest of your weekend.

Nicole Jo Moss  
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**From:** Lauren Ditty <lditty@scottdoug.com>  
**Date:** Thursday, October 10, 2024 at 6:22 PM  
**To:** Nicole Moss <nmooss@cooperkirk.com>  
**Cc:** Adam Laxalt <alaxalt@cooperkirk.com>, Alexander Liebmann <alex@liebmannlaw.net>, Brian Barnes <BBarnes@cooperkirk.com>, Christy Collins <ccollins@scottdoug.com>, David Shank <dshank@scottdoug.com>, Jacob Meckler <jacob.meckler@aflegal.org>, Lauren Ditty <lditty@scottdoug.com>, Nicholas Barry <nicholas.barry@aflegal.org>, Robby Earle <rearle@scottdoug.com>, Samuel Adkisson <sadkisson@cooperkirk.com>, Amy Dashiell <adashiell@scottdoug.com>  
**Subject:** Kacsak - Production Deficiencies

**Caution: External Email**

Nicole,

I write to address the following deficiencies in Plaintiff's document production.

First, Plaintiff's production includes documents that cannot be properly viewed and used without images that are omitted from the produced versions of the documents. For example, Plaintiff produced various social media communications, but many of the actual posts or images Plaintiff is commenting on or "liking" on social media are not included in these documents. Similarly, Plaintiff produced text threads in which many of the texts contain or consist entirely of images. Please produce a complete version of each of the following documents with the images included:

- Kacsak000672
- Kacsak000673
- Kacsak000674
- Kacsak000676
- Kacsak000677
- Kacsak000678
- Kacsak000679
- Kacsak000680
- Kacsak000681

- Kacsak000682
- Kacsak000772
- ABC0000942.000001

Second, several documents are either completely redacted, making it impossible to determine even what the document is, or improperly redacted because the unredacted portions show that they are text threads between multiple participants that involves no attorneys and were made well in advance of this litigation. Please produce unredacted versions of the following documents:

- Kacsak000100
- Kacsak000234
- Kacsak000244
- Kacsak000253
- Kacsak000274
- Kacsak000290
- Kacsak000316
- Kacsak000437

To the extent you are claiming privilege, please provide a privilege log in compliance with Rule 26(b) (5).

Third, there are emails in Plaintiff's production that state that they include attachments, but the attachments have not been produced. For instance, Kacsak001388 is an email from Plaintiff and his wife to their accountant that states they "have enclosed the supporting documents" for the hernia surgery Plaintiff had in 2021 and "other miscellaneous medical expense[s]," but the email as produced does not include those "supporting documents." Please ensure that this email and others in Plaintiff's production are produced with all attachments and enclosures.

Thanks,  
Lauren

LAUREN DITTY

[lditty@scottdoug.com](mailto:lditty@scottdoug.com)



telephone at (512) 495-6300 and/or email and delete the original message. Thank you.

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